

01
02
03
04
05
06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR04-256-RSM
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 JASON MICHAEL ARMSTRONG) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
13

14 An evidentiary hearing on supervised release revocation in this case was scheduled before
15 me on February 3, 2006. The United States was represented by AUSA Leonie G.H. Grant and
16 the defendant by Allen R. Bentley . The proceedings were digitally recorded.

17 Defendant had been sentenced on or about October 15, 2004 by the Honorable Ricardo
18 S. Martinez on a charge of Bank Larceny (2 counts), and sentenced to 3 months custody, 1 year
19 supervised release.

20 The conditions of supervised release included the standard conditions plus the requirements
21 that defendant submit to search, pay restitution in the amount of \$1,485.96, provide access to
22 financial information, notify probation officer of any material change in financial circumstances that

SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE
PAGE -1

might affect ability to pay restitution, and pay 10% of gross monthly household income toward total criminal monetary penalty. (Dkt. 109).

In an application dated January 4, 2006 (Dkt 130), U.S. Probation Officer Monique D. Neal alleged the following violations of the conditions of probation:

1. Failing to submit a truthful and complete written report within the first five days of each month, in violation of standard condition #2.

2. Failing to notify the probation officer at least 10 days prior to any change in residence, in violation of standard condition #6.

3. Failing to pay restitution in the amount of \$1,485.96 during his term of supervised release in violation of special condition that he pay restitution in the amount of \$1,485.96 during the period of supervision.

Defendant was advised in full as to those charges and as to his constitutional rights.

Defendant admitted alleged violations 2 and 3 and waived any evidentiary hearing as to whether they occurred. The government moved to dismiss violation 1. (Dkt. 138).

I therefore recommend the Court find defendant violated his supervised release as alleged in violations 2 and 3, that the Court dismiss violation 1, and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be set before Judge Martinez.

Pending a final determination by the Court, defendant has been released on supervision.

DATED this 3rd day of February, 2006.



Mary Alice Theiler
United States Magistrate Judge

cc: District Judge: Honorable Ricardo S. Martinez
AUSA: Leonie G.H. Grant
Defendant's attorney: Allen R. Bentley
Probation officer: Monique D. Neal